

In The United States District Court  
For The Middle District Of Alabama  
Northern Division

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David Allen # 150171  
Plaintiff Pro Se

CLERK OF DISTRICT COURT  
MIDDLE DISTRICT ALA

-VS-

Re: to Civil Action Complaint

Gwendolyn Mosley et. al.  
Defendants

NO: 2:06-CV-1020-MHT

Reply To Order Of February 27<sup>th</sup> 2007

Comes Now Plaintiff David Allen Pro Se With legal assistance from John David Strong who herein respectfully submits his Reply to The US. Magistrate's Order dated February 27<sup>th</sup> 2007 Hon. Susan Russ Walker for Plaintiff to Show Cause why he has failed to file his response in - Compliance With The Order entered January 9<sup>th</sup> 2007 which required - Plaintiff To Show Cause why this Case Should Not be dismissed for his Submission of a forged document (exhibit #C.) And etc.

Plaintiff Allen respectfully submits To the fact

he did comply with the Order of Honorable Susan Russ Walker's January 9<sup>th</sup> 2007 Order referred to above - with legal assistance from inmate Driskill who did the actual composition thereof a copy thereof is attached hereto as exhibit D-A Now which was placed in the U.S. Mail box in the institution's disciplinary segregation's out-going mailbox with postage pre paid and properly addressed to this Honorable Court in reply to said Order. If this Honorable Court did not receive said legal mail - it would be the first time this institution had illegally confiscated inmate's out-going legal mail, to frustrate the inmate's adequate access to the courts. The inmate Driskill - shortly after assisting Plaintiff in composing said reply action, was transferred to another institution which Plaintiff does not know the name of at this time but which can be found out in discovery action.

As cited in Plaintiff's February 21, 2007 Reply and Rebuttal to Defendant's Special Report - it was the Defendant's who intentionally committed fraud by submitting their defective Medical Chart as exhibit to support their plea. False pleas of innocence as can be easily established and the Magistrate or The U.S. Magistrate was not justified in

Claiming Plaintiff's Submitted Medical Chart Was a forged document, as it was never submitted as an exhibit made up by a license Medical Personnel but made up by a layman without any kind of deceit as a motivation to mislead anyone as outlined in Plaintiff's Reply Action Supra, which evidently never left this institute but was placed in the Segregation Area's Outgoing Mail box accordingly because Plaintiff was confined in disciplinary Segregation at that period of time as a result of defendant's attempt to justify the brutal assault on Plaintiff and or in an attempt to cover up said assault on Plaintiff ~~and~~ through a malicious false disciplinary action taken by Defendant Knox in an attempt to justify the excessive use of force that amounted to a brutal assault by prison guards using their uniforms as a weapon to attack and beat down an innocent inmate for the sole reason no doubt because they can do it.

If defendants deny Plaintiff's serious allegations state law being invoked in this case, mandates the use of polygraph testing (lie detector) if prison officials denies a serious claim filed against them by an inmate and if after denying the inmate's claims the prison officer refuses to submit to such testing he or she must be fired among other penalties.

Then as cited in Plaintiff's February 21, 2007 Reply and Rebuttal Action Cited Above. It was the defendants who intentionally committed fraud by submitting their defective Medical Chart Not Plaintiff and Defendants Plez for this case to be dismissed should be denied on the ~~file~~ <sup>file</sup> of their false presentation of fraudulent exhibits and Affidavits because what's good for the goose is good for the gander, as the saying goes.

If this Honorable Court received Plaintiff's February 21, 2007 Reply and Rebuttal Action please review page four thereof to understand the extent of the brutal assault on this Plaintiff and Medical Records will fully support such assault. Medical Records The Defendants intentionally withheld from this Honorable Court in their Special Report. Also Defendant Mosley was fully aware of the extent of the harm Plaintiff suffered in said assault as Plaintiff personally informed her thereof and for her to submit her fraudulent Affidavit should be ground for Criminal Prosecution along with Defendant Knox. If there is any kind of fair justice in Alabama. This Plaintiff vows to under oath and can establish and substantiate all of his claims through Discoveries and interrogatories and polygraph testing.

## CONCLUSION

Wherefore Premises Considered, Plaintiff Allen herein respectfully Moves That This Honorable Court deny Defendants Request for dismissal of this Case at bar and Allow Plaintiff to Prosecute Discoveries and interrogatories so That the records can be rightly developed accordingly and Allow Plaintiff to file either an Amended Complaint or a Supplemental Complaint for reasons already cited.

It is So Prayed

Pursuant to 28 U.S.C.  
1746 I sign under  
penalty of perjury  
On March 6 2007

Subscribed and Sworn to  
before Me, a Notary Public  
ON March        2007

S/

Notary

My Commission expires ON \_\_\_\_\_

Respectfully Submitted  
S/ Lincoln David Allen

David Allen Pro Se  
AIS. No. 150171 in F-1-60-A  
Easterling CORR, Fac  
200 Wallace Drive  
Clio, Alabama 36017

Certificate of Service

David Allen herein avows and states under oath  
That a True Copy of The foregoing ATTach Reply  
To Order of February 27<sup>th</sup> 2007 in Case Number  
2:06-CV-1020-MHT is being Sent by U.S. Mail  
Properly Addressed With Postage Prepaid to  
Defendants listed ATTorney of Record

Mary Goldthwaite  
Assistant Attorney General  
11 South Union Street  
Montgomery, Alabama 36130

ON March 6 2007

SP Lincoln David Allen #150171  
David Allen-Affiant Pro Se

Subscribed and Sworn to  
before Me a Notary Public  
ON March        2007

Pursuant to 28 U.S.C.  
1746, I sign under  
penalty of perjury  
ON March 6 2007.

S/ \_\_\_\_\_  
Notary

My Commission expires ON \_\_\_\_\_

Exhibit → ATTached hereto  
-6- last Page of Reply Action

MR. LINDSEY David Allen #150171 C1-40A  
 EASTERLING CORRECTIONAL FACILITY  
 200 Walker Drive  
 Clio, Alabama 36017



United States District Court

P.O. Box 711

Montgomery, Alabama 36101-0711

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